BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554

In re Applications of	)	MM Docket No. 93-88
EZ COMMUNICATIONS, INC.	)	File No. BRH-910401C2
For Renewal of License of FM Radio Station WBZZ(FM) on Channel 229B at Pittsburgh, Pennsylvania	)	
ALLEGHENY COMMUNICATIONS GROUP, INC.	)	File No. BPH-910628MC
For Construction Permit for a New FM Broadcast Station on Channel 229B at Pittsburgh, Pennsylvania	)	

To: Honorable Edward Luton
Administrative Law Judge

PETITION FOR LEAVE TO AMEND

Allegheny Communications Group, Inc. (Allegheny), by its attorneys, now petitions for leave to amend its application in accordance with the attached amendment.

The Hearing Designation Order, DA 93-361 (released April 5, 1993) ordered Allegheny to amend the engineering portion of its application in several respects. First, Paragraph 18 of the WDO noted an agreement about spacing between Allegheny

additional certification concerning human exposure to RF radiation. Finally, Paragraph 23 of the HDO asked Allegheny to submit a study concerning possible interference to another station.

The attached amendment provides all of the required information. With respect to the North Madison allotment, the amendment demonstrates that Allegheny's current proposal fully protects the North Madison allotment when Section 73.215 of the Commission's rules is used. The additional statements concerning Allegheny's directional antenna and human exposure to RF radiation are provided. Finally, the amendment provides an interference analysis which demonstrates that Allegheny's station will not improperly interfere with WLER(FM).

Good cause exists for acceptance of the amendment because the amendment is required by the Hearing Designation Order. The amendment does not change Allegheny's proposed facility, so no comparative advantage will result from a grant of this petition.

Accordingly, Allegheny asks the Presiding Judge to accept the attached amendment.

Respectfully submitted,

ALLEGHENY COMMUNICATIONS GROUP, INC.

By _____
Morton L. Berfield

By _____
John J. Schauble

Cohen and Berfield
1129 20th Street, NW, Suite 507
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Its Attorneys

Date: May 5, 1993

AMENDMENT

The application of Allegheny Communications Group, Inc. for a construction permit for a new FM broadcast station on Channel 229B

ENGINEERING STATEMENT COVERING

AMENDMENT TO APPLICATION FOR CONSTRUCTION PERMIT

FOR ALLEGHENY COMMUNICATIONS GROUP, INC.

CHANNEL 229B 93.7 mHz

43.5 kW MAX. (DA) @ 157.5 METERS HAAT

PITTSBURGH, PENNSYLVANIA

FILE NO. BPH-910628MC

AMENDED APRIL 1993

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AMENDED APRIL 1993

SUMMARY

This statement supports an amendment to the pending Application for Construction Permit filed by **Allegheny Communications Group, Inc. ("Allegheny")** for a new FM broadcast station on Channel 229B at Pittsburgh, Pennsylvania, File No. BPH-910628MC.

The instant amendment will serve to address the engineering issues raised in the Hearing Designation Order ("HDO") released on April 5, 1993 in the proceeding in MM Docket No. 93-88, and as described in the following paragraphs and exhibits.

ADDRESSING OF SHORT SPACING TO NORTH MADISON, OHIO ALLOTMENT

Paragraph 18 of the HDO indicates that the proposed **Allegheny** transmitter site is short spaced to a new allotment at North Madison, Ohio on Channel 229A and must amend its application accordingly in order to eliminate the conflict. The proposed **Allegheny** site is located 173.5 kM from the North Madison, Ohio allocation coordinates. The minimum distance separation requirement, specified in the table in *Section 73.215(e)*, between co-channel Class A and Class B facilities is 143 kM. **Allegheny** clearly meets the requirements as specified in *Section 73.215(e)* and, therefore, requests *Section 73.215* processing with regard to the North Madison, Ohio allocation. *Figure 1*, attached, is a *Section 73.215* contour clearance showing based on *Section 73.207* minimum distance separation standards which depicts the lack of prohibited overlap between a maximum Class A 6 kW allotment at the North Madison, Ohio reference coordinates and the proposed **Allegheny** facility. The **Allegheny** contours have been determined utilizing the directional antenna data as filed with the August, 1991 amended **Allegheny** application.

No additional modification of the antenna pattern was required in order to achieve contour clearance as the major lobe of the proposed **Allegheny** facility is in the direction of the North Madison allotment.

SECTION 73.316 DIRECTIONAL ANTENNA COMPLIANCE

Paragraph 20 of the HDO requires **Allegheny** to provide the supporting statements specified in *Sections 73.316(c)(5)* and *(7)* of the Rules with respect to the proposed directional antenna installation. Accordingly, **Allegheny** asserts the following regarding its proposed facility.

Allegheny proposes to install an ERI-DA-1005 3 bay, or equivalent, directional FM antenna. The antenna will be side mounted on an existing 73.5 meter steel structure. In accordance with *Section 73.316* of the Rules, the applicant certifies as follows:

1. The ratio of minimum to maximum radiation does not exceed 15 dB.

2. The proposed radiation pattern will not vary by more than 2 dB per 10 degrees of azimuth change.

3. The proposed ERI directional antenna pattern is based on a measured pattern from the ERI test range.

4. The antenna will be side mounted on the existing tower in accordance with the manufacturer's specific installation instructions.

5. No platform is located within one wave length of the antenna.

6. No other antenna will be mounted at the same tower level as the proposed directional antenna. No antenna of any type will be mounted horizontally or vertically within a distance less than that specified by the manufacturer for proper directional operation.

7. During antenna installation, a qualified broadcast engineer will supervise the installation and certify that the antenna has been installed pursuant to the manufacturer's instructions.

Allegheny has taken the appropriate steps to work with AT&T, the tower owner, in order to ensure compliance with the Rules and the manufacturer's instructions for installation of the proposed antenna. Specifically, AT&T assures **Allegheny** that it is in the process of deactivating a number of antennas not in use which are currently on the tower. AT&T further agrees that, when the construction permit for the proposed **Allegheny** facility has been granted, it will undertake final coordination with **Allegheny** to provide final antenna data to the FM antenna manufacturer for inclusion in its studies with respect to ultimate antenna design.

ANSI COMPLIANCE

Paragraph 22 of the HDO requires **Allegheny** to submit a certification regarding potential worker exposure with respect to RF radiation and compliance with ANSI guidelines. It is noted that a complete analysis of all potential RF contributors was included in **Allegheny's** January, 1992 engineering response to EZ Communications' Petition to Deny the **Allegheny** application. The analysis determined that the ANSI standard of 1 mw/cm^2 is not exceeded when the cumulative percentages of power density of all stations currently operating on the tower are considered on either the roof or ground surrounding the tower base. **Allegheny** further stated that it would be willing to certify the actual RF radiation amounts by the taking of measurements prior to filing a 302 license application.

In its August, 1991 amended application, **Allegheny** further stated that a policies and procedures plan would be established concerning worker exposure which would include the posting of warning signs, monitored maintenance logs and limited time access on the tower, as well as reducing or eliminating its transmitter power during such time as workers are on the

tower, if required. At this time, **Allegheny** further certifies that, prior to commencing operation, an agreement will be in effect with any and all existing stations on the tower to reduce or cease operation, as necessary, to assure worker safety when maintenance is to be performed at the site.

POTENTIAL RECEIVER INDUCED INTERMODULATION INTERFERENCE

Paragraph 23 of the HDO raises a concern regarding potential intermodulation interference between the proposed **Allegheny** Channel 229B (93.7 mHz) facility and WORD, Pittsburgh, Pennsylvania, on Channel 284B (104.7 mHz) and WMXP, New Kensington, Pennsylvania, on Channel 264B (100.7 mHz) on the frequency of WLER-FM, Butler, Pennsylvania, Channel 249A (97.7 mHz). With respect to this issue, the following analysis has been performed.

RITOIE classically occurs when two stations are co-located, or essentially so, and an intermodulation product occurs within nearby receivers that causes interference to the received signal of a third station in the market. The area of interference, RITOIE, is generally located between the 115 dBu blanketing contour and the 100 dBu contour as a worst case condition. Any interference is generated in the front end of a receiver and is not transmitted by the stations.

Paragraph 23 of the Commission's Order describes a possible intermodulation problem between three transmitting stations to a fourth station. The potential interference problem described in the order can only exist when the proposed **Allegheny** frequency (93.7 mHz) is added to the frequency of WORD (104.7 mHz) and the frequency of WMXP-FM (100.7 mHz) is subtracted from the total, leaving an interfering signal on 97.7 mHz which is the frequency of operation for Class A station WLER, Butler, Pennsylvania. This is not a classical RITOIE problem but rather a classic third order intermodulation problem normally handled with filters in the transmitting systems of the involved stations.

The relationship of the other stations to the proposed **Allegheny** site are as follows:

Call	Dist. kM	Bearing Degrees	Facilities
WMXP	0.2	187.3	Ch 265B 17 kW, RC 563 meters AMSL - LIC
WORD	20.6	65.7	Ch 284B 50 kW, RC 471 meters AMSL - LIC
	0.2	187.3	Ch 284B 19 kW, RC 546 meters AMSL - CP, BPH-9002281A
WLER	45.5	12.4	Ch 249A 4.6 kW, RC 496 meters AMSL - LIC

It is believed that all engineers would agree that the licensed WORD facility is too distant from the proposed **Allegheny** and licensed WMXP sites for interference of any type to exist. Therefore, the interference to be studied is that between the proposed **Allegheny** facility, the WORD CP facility, WMXP and WLER.

Figure 2, attached, depicts the WLER primary, protected 60 dBu contour and the possible interference area of **Allegheny**, WORD and WMXP. The closest point on the WLER 60 dBu contour is 8.6 kM, 5.4 miles from the worst case interference contour for the three involved facilities.

The intermodulation scenario that the Commission has set forth is a third order intermodulation product normally caused by the mixing of signals in the transmission systems. **Allegheny** stipulates that it will take full responsibility for the elimination of any objectionable interference within the primary protected service contour of any facilities in existence, facilities authorized, and to fixed radio receivers in use prior to grant of its application.

Allegheny will coordinate fully with WMXP and WORD and will accept full financial responsibility for the purchase and installation of any transmission filters necessary to

eliminate a mixing product on 97.7 mHz, the frequency of WLER-FM. These steps will assure that the transmission plants of the three stations meet the Commission's purity of emission standards set forth in *Section 73.317* of the Rules and Regulations.

Current FOB and Mass Media Bureau policy state that a station cannot receive protection from interference outside its predicted primary service contour. This is consistent with *Section 73.215(a)(1)* and *Section 73.311* of the Rules. Accordingly, **Allegheny's** commitment with regard to WLER is believed properly limited to the area within that station's 60 dBu predicted service contour.

CONCLUSION

This statement is believed to be fully responsive to the engineering questions raised in the Hearing Designation Order concerning **Allegheny.**

The foregoing was prepared on behalf of **Allegheny Communications Group, Inc.** by Laura M. Mizrahi of *Communications Technologies, Inc.*, Marlton, New Jersey, whose qualifications are a matter of record with the Federal Communications Commission. The statements herein are true and correct of her own knowledge, except such statements made on information and belief, and as to these statements she believes them to be true and correct.

By Laura M. Mizrahi

Laura M. Mizrahi
for Communications Technologies, Inc.
Marlton, New Jersey

SUBSCRIBED AND SWORN TO before me
this 30th day of April, 1993,
Esther G. Sperbeck, NOTARY PUBLIC

ESTHER G. SPERBECK
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES OCT 15, 1997

CERTIFICATE OF SERVICE

I, Susie Cruz, do hereby certify that on the 5th day of May 1993, a copy of the foregoing "Petition for Leave to Amend" was sent first-class mail, postage prepaid to the following:

Paulette Y. Laden, Esq.*
Robert A. Zauner, Esq.
Hearing Branch
Federal Communications Commission
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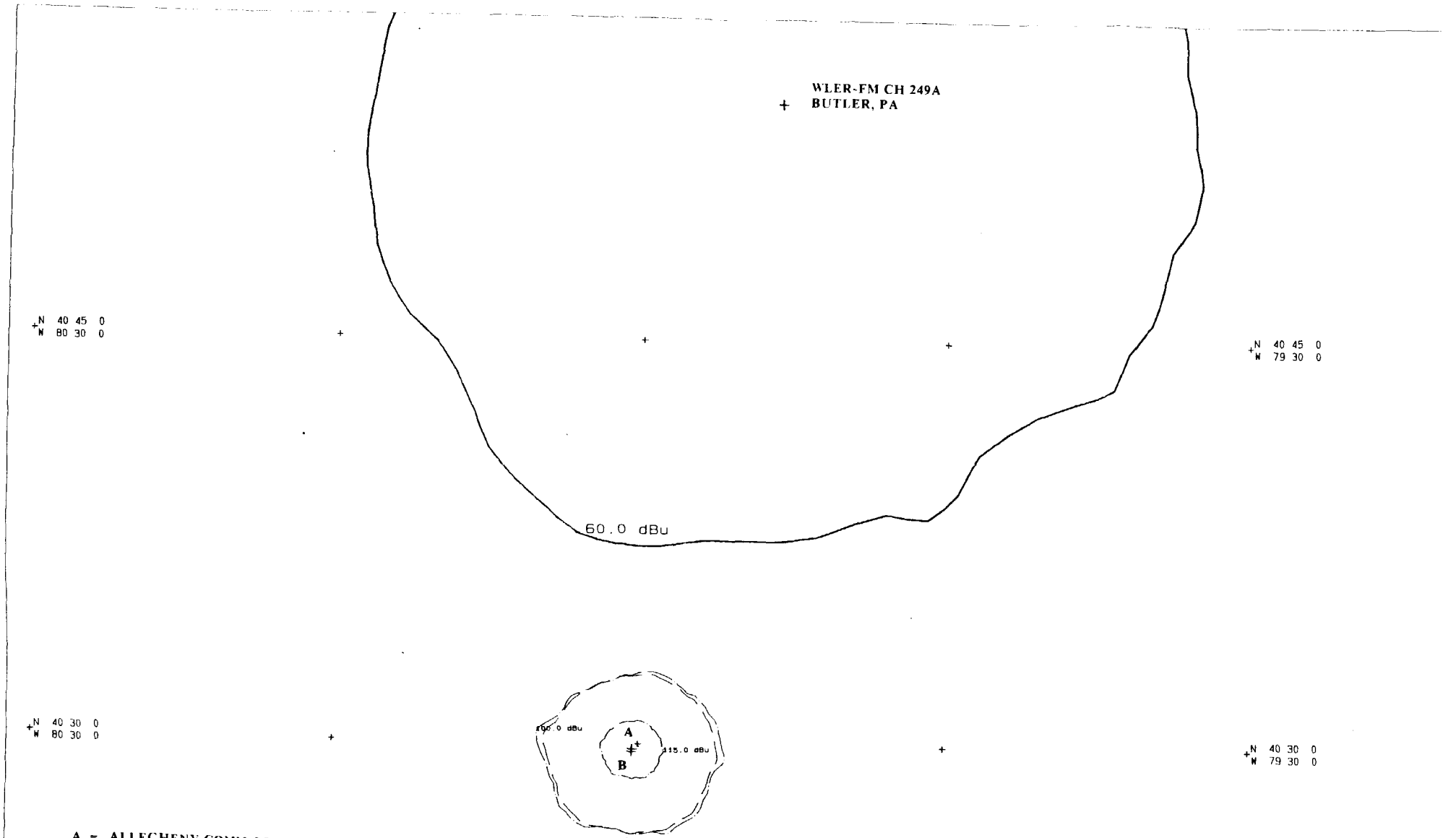
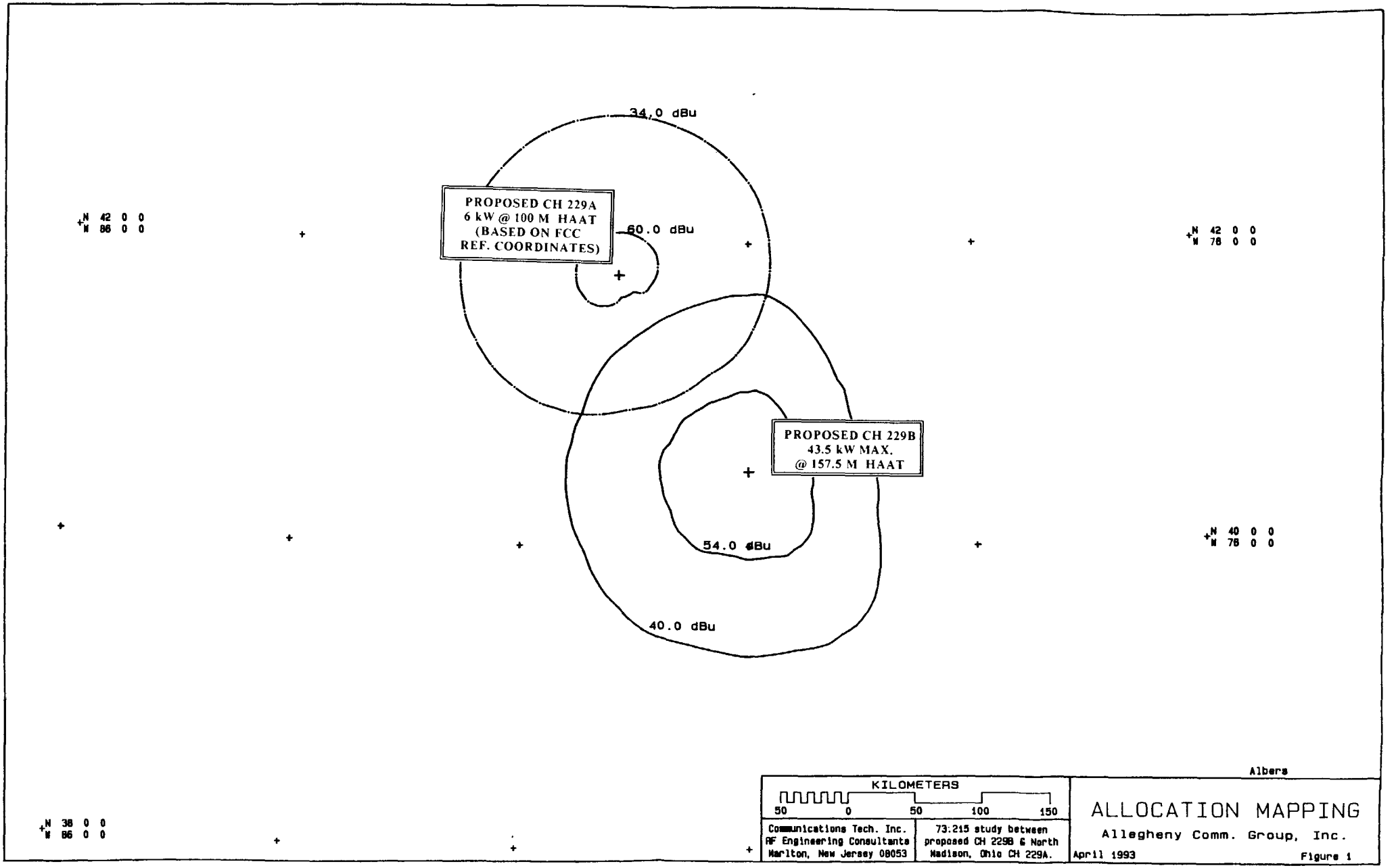
Susie Cruz

*HAND-DELIVERED


WLER-FM CH 249A
BUTLER, PA
N 40 45 0
W 80 30 0
N 40 45 0
W 79 30 0
60.0 dBu
N 40 30 0
W 80 30 0
N 40 30 0
W 79 30 0
A
B
115.0 dBu
A = ALLEGHENY COMM. PROP. CH 229B
B = WMXP CH 264B, WORD CH 284B
KILOMETERS
5 0 5 10 15
Showing 115 dBu and worst case contours for proposed WMXP & WORD to WLER-FM.
Communications Tech., Inc.
RF Engineering Consultants
Marlton, New Jersey 08053
Transverse Mercat
MIXING PRODUCT STUDY
ALLEGHENY COMM. GROUP, INC.
APRIL 1993
FIGURE 2


34.0 dBu
PROPOSED CH 229A
6 kW @ 100 M HAAT
(BASED ON FCC
REF. COORDINATES)
60.0 dBu
PROPOSED CH 229B
43.5 kW MAX.
@ 157.5 M HAAT
54.0 dBu
40.0 dBu
N 42 0 0
W 86 0 0
N 42 0 0
W 78 0 0
N 40 0 0
W 78 0 0
N 38 0 0
W 86 0 0
Albers
KILOMETERS
50 0 50 100 150
Communications Tech. Inc.
RF Engineering Consultants
Marlton, New Jersey 08053
73.215 study between
proposed CH 229B & North
Madison, Ohio CH 229A.
ALLOCATION MAPPING
Allegheny Comm. Group, Inc.
April 1993
Figure 1